

SENATE JOURNAL
January 27, 2005
ELEVENTH DAY

The Senate was called to order at 10:20 a.m., with President John Valentine presiding.

Prayer – Father Joseph Mayo, Cathedral of the Madeleine

Pledge of Allegiance – Senator Sheldon Killpack

Roll Call – All Senators present except Senators Julander and Dmitrich, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 8)

COMMUNICATIONS FROM THE HOUSE

Mr. President:

January 16, 2005

The House passed, **S.B. 18**, REGULATING PROPRIETARY POSTSECONDARY SCHOOLS, by Senator D. Eastman, which has been signed by the Speaker and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. 18 was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

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Mr. President:

January 26, 2005

The House passed **H.B. 12**, HEALTH CARE ASSISTANTS, by Representative R. Lockhart, and it is transmitted for consideration; and

The House passed **H.B. 164**, REPEAL OF UTAH PERSONAL INTRODUCTION SERVICES PROTECTION ACT, by Representative S. Allen, and it is transmitted for consideration; and

The House passed **H.B. 170**, EXTENSION OF UTAH LOW-INCOME HOUSING TAX CREDITS, by Representative S. Clark, and it is transmitted for consideration; and

The House passed **H.B. 177**, WILDLIFE LICENSE REFUND AMENDMENTS, by Representative M. Dayton, and it is transmitted for consideration; and

The House passed **H.B. 179**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Representative P. Wallike, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 181**, DUPLICATE WILDLIFE LICENSING AMENDMENTS, by Representative M. Dayton, and it is transmitted for consideration; and

The House passed **H.C.R. 7**, CONCURRENT RESOLUTION OPPOSING NUCLEAR TESTING, by Representative M. Noel, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 12**, **H.B. 164**, **H.B. 170**, **H.B. 177**, **H.B. 179**, **H.B. 181**, and **H.C.R. 7** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate:

January 26, 2005

The Rules Committee recommends assignment of the following bills to standing committees:

Business and Labor Committee

- S.J.R. 9** Resolution Recognizing 100 Years of Rotary International
(Sen. P. Knudson)
- H.B. 186** Consumer Protection Amendments (Rep. S. Allen)

Government Operations and Political Subdivisions Committee

- H.B. 34** Emergency Related Amendments (Rep. S. Allen)
- S.B. 136** Justice Court Operations Amendments (Sen. E. Mayne)
- S.B. 140** Personal Use of Campaign Funds (Sen. K. Hale)
- S.B. 143** Open and Public Meetings – Recording Requirement
(Sen. S. Jenkins)
- H.B. 51** Electronic Payments to Local Government Entities
(Rep. J. Murray)

Health and Human Services Committee

- S.B. 55** Access to Patient Medical Records (Sen. P. Arent)
- S.B. 72** Child Welfare Amendments (Sen. D. Eastman)
- S.B. 142** Pharmacy Practice Act Amendments (Sen. P. Knudson)

Judiciary, Law Enforcement, and Criminal Justice Committee

- 1st Sub. H.B. 28** Juvenile Justice Recodification and Revisions
(Rep. D. Aagard)

H.B. 185 Utah Computer Crimes Act Amendments (Rep. B. Daw)

Natural Resources, Agriculture, and Environment Committee

S.J.R. 10 Resolution to Congress Regarding Oil and Gas Drilling and Exploration (Sen. H. Stephenson)

H.B. 162 Municipal Abatement of Weeds and Other Neglected Items on Property (Rep. M. Morley)

Revenue and Taxation Committee

S.B. 53 Land Value Property Tax Study (Sen. H. Stephenson)

S.B. 54 Property Tax Confidentiality Amendments
(Sen. H. Stephenson)

Workforce Services and Community and Economic Development

S.B. 137 Tourism, Recreation, Cultural, and Convention Facilities Tax Amendments (Sen. H. Stephenson)

S.B. 141 Military Installation Partnerships (Sen. S. Killpack)

Michael Waddoups

Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

RULES COMMITTEE REPORTS

To the Members of the Senate:

January 26, 2005

The Rules Committee recommends the following resolution be placed at the bottom of the Second Reading Calendar:

H.J.R. 10 Joint Rules Resolution – Amendments in Context (Rep. R. Lockhart)

Michael Waddoups

Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President:

January 26, 2005

The Health and Human Services Committee reports a favorable recommendation on **S.B. 46**, PRESCRIPTIVE PRACTICE OF LEGEND DRUGS, by Senator P. Knudson, with the following amendments:

1. Line 49:

Delete "and" and insert "or"; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 107**, LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES, by Senator T. Hatch.

Allen M. Christensen, Chair

Mr. President:

January 26, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 129**, BRINE SHRIMP ROYALTY ACT AMENDMENTS, by Senator T. Hatch.

Michael G. Waddoups, Chair

Mr. President:

January 26, 2005

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 49**, MOTOR VEHICLE LIABILITY COVERAGE AMENDMENTS, by Senator D. Eastman, with the following amendments:

1. Page 1, Lines 13 through 14:

13 ► provides that motor vehicle liability coverage need not insure any liability that arises

14 out of acts by the insured that are intended to cause property damage {~~or~~} bodily injury or death ; {~~and~~}

 ► provides that a motor vehicle that has been denied liability coverage for intentional acts is covered under uninsured and undiminished motorist coverage; and

2. Page 1, Line 22:

22 31A-22-303, as last amended by Chapters 90 and 126, Laws of Utah 2004

31A-22-305, as last amended by Chapters 117, 267 and 304, Laws of Utah 2004

3. Page 3, Line 87:

87 (d) arising out of acts by the insured that are intended to cause property damage {~~or~~} bodily injury or death .

4. Page 6, Line 161:

161 protection coverage under Sections 31A-22-306 through
31A-22-309.

Section 2. Section 31A-22-305 is amended to read:

31A-22-305. Uninsured and underinsured motorist coverage.

(1) As used in this section, “covered persons” includes:

(a) the named insured;

(b) persons related to the named insured by blood, marriage, adoption, or guardianship, who are residents of the named insured’s household, including those who usually make their home in the same household but temporarily live elsewhere;

(c) any person occupying or using a motor vehicle:

(i) referred to in the policy; or

(ii) owned by a self-insured; and

(d) any person who is entitled to recover damages against the owner or operator of the uninsured or underinsured motor vehicle because of bodily injury to or death of persons under Subsection (1)(a), (b), or (c).

(2) As used in this section, “uninsured motor vehicle” includes:

(a) (i) a motor vehicle, the operation, maintenance, or use of which is not covered under a liability policy at the time of an injury-causing occurrence; or

(ii) (A) a motor vehicle covered with lower liability limits than required by Section 31A-22-304; and

(B) the motor vehicle described in Subsection (2)(a)(ii)(A) is uninsured to the extent of the deficiency;

(b) an unidentified motor vehicle that left the scene of an accident proximately caused by the motor vehicle operator;

(c) a motor vehicle covered by a liability policy, but coverage for an accident is disputed by the liability insurer for more than 60 days or continues to be disputed for more than 60 days; {~~or~~}

(d) (i) an insured motor vehicle if, before or after the accident, the liability insurer of the motor vehicle is declared insolvent by a court of competent jurisdiction; and

(ii) the motor vehicle described in Subsection (2)(d)(i) is uninsured only to the extent that the claim against the insolvent insurer is not paid by a guaranty association or fund {~~or~~} ; or

(e) a motor vehicle covered by a liability policy, but coverage has been denied by the liability insurer under Subsection 31A-22-303(3)(d).

(3) (a) Uninsured motorist coverage under Subsection 31A-22-302(1)(b) provides coverage for covered persons who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness, disease, or death.

(b) For new policies written on or after January 1, 2001, the limits of uninsured motorist coverage shall be equal to the lesser of the limits of the insured's motor vehicle liability coverage or the maximum uninsured motorist coverage limits available by the insurer under the insured's motor vehicle policy, unless the insured purchases coverage in a lesser amount by signing an acknowledgment form provided by the insurer that:

(i) waives the higher coverage;

(ii) reasonably explains the purpose of uninsured motorist coverage; and

(iii) discloses the additional premiums required to purchase uninsured motorist coverage with limits equal to the lesser of the limits of the insured's motor vehicle liability coverage or the maximum uninsured motorist coverage limits available by the insurer under the insured's motor vehicle policy.

(c) A self-insured, including a governmental entity, may elect to provide uninsured motorist coverage in an amount that is less than its maximum self-insured retention under Subsections (3)(b) and (4)(a) by issuing a declaratory memorandum or policy statement from the chief financial officer or chief risk officer that declares the:

(i) self-insured entity's coverage level; and

(ii) process for filing an uninsured motorist claim.

(d) Uninsured motorist coverage may not be sold with limits that are less than the minimum bodily injury limits for motor vehicle liability policies under Section 31A-22-304.

(e) The acknowledgment under Subsection (3)(b) continues for that issuer of the uninsured motorist coverage until the insured, in writing, requests different uninsured motorist coverage from the insurer.

(f) (i) In conjunction with the first two renewal notices sent after January 1, 2001, for policies existing on that date, the insurer shall disclose in the same medium as the premium renewal notice, an explanation of:

(A) the purpose of uninsured motorist coverage; and

(B) the costs associated with increasing the coverage in amounts up to and including the maximum amount available by the

insurer under the insured's motor vehicle policy.

(ii) The disclosure required under this Subsection (3)(f) shall be sent to all insureds that carry uninsured motorist coverage limits in an amount less than the insured's motor vehicle liability policy limits or the maximum uninsured motorist coverage limits available by the insurer under the insured's motor vehicle policy.

(4) (a) (i) Except as provided in Subsection (4)(b), the named insured may reject uninsured motorist coverage by an express writing to the insurer that provides liability coverage under Subsection 31A-22-302(1)(a).

(ii) This rejection shall be on a form provided by the insurer that includes a reasonable explanation of the purpose of uninsured motorist coverage.

(iii) This rejection continues for that issuer of the liability coverage until the insured in writing requests uninsured motorist coverage from that liability insurer.

(b) (i) All persons, including governmental entities, that are engaged in the business of, or that accept payment for, transporting natural persons by motor vehicle, and all school districts that provide transportation services for their students, shall provide coverage for all motor vehicles used for that purpose, by purchase of a policy of insurance or by self-insurance, uninsured motorist coverage of at least \$25,000 per person and \$500,000 per accident.

(ii) This coverage is secondary to any other insurance covering an injured covered person.

(c) Uninsured motorist coverage:

(i) is secondary to the benefits provided by Title 34A, Chapter 2, Workers' Compensation Act;

(ii) may not be subrogated by the workers' compensation insurance carrier;

(iii) may not be reduced by any benefits provided by workers' compensation insurance;

(iv) may be reduced by health insurance subrogation only after the covered person has been made whole;

(v) may not be collected for bodily injury or death sustained by a person:

(A) while committing a violation of Section 41-1a-1314;

(B) who, as a passenger in a vehicle, has knowledge that the vehicle is being operated in violation of Section 41-1a-1314; or

(C) while committing a felony; and

(vi) notwithstanding Subsection (4)(c)(v), may be recovered:

(A) for a person under 18 years of age who is injured within the scope of Subsection (4)(c)(v) but limited to medical and funeral expenses; or

(B) by a law enforcement officer as defined in Section 53–13–103, who is injured within the course and scope of the law enforcement officer’s duties.

(d) As used in this Subsection (4), “motor vehicle” has the same meaning as under Section 41–1a–102.

(5) When a covered person alleges that an uninsured motor vehicle under Subsection (2)(b) proximately caused an accident without touching the covered person or the motor vehicle occupied by the covered person, the covered person must show the existence of the uninsured motor vehicle by clear and convincing evidence consisting of more than the covered person’s testimony.

(6) (a) The limit of liability for uninsured motorist coverage for two or more motor vehicles may not be added together, combined, or stacked to determine the limit of insurance coverage available to an injured person for any one accident.

(b) (i) Subsection (6)(a) applies to all persons except a covered person as defined under Subsection (7)(b)(ii).

(ii) A covered person as defined under Subsection (7)(b)(ii) is entitled to the highest limits of uninsured motorist coverage afforded for any one motor vehicle that the covered person is the named insured or an insured family member.

(iii) This coverage shall be in addition to the coverage on the motor vehicle the covered person is occupying.

(iv) Neither the primary nor the secondary coverage may be set off against the other.

(c) Coverage on a motor vehicle occupied at the time of an accident shall be primary coverage, and the coverage elected by a person described under Subsections (1)(a) and (b) shall be secondary coverage.

(7) (a) Uninsured motorist coverage under this section applies to bodily injury, sickness, disease, or death of covered persons while occupying or using a motor vehicle only if the motor vehicle is described in the policy under which a claim is made, or if the motor vehicle is a newly acquired or replacement motor vehicle covered under the terms of the policy. Except as provided in Subsection (6) or this Subsection (7), a covered person injured in a motor vehicle described in a policy that includes uninsured motorist benefits may not elect to collect uninsured

motorist coverage benefits from any other motor vehicle insurance policy under which the person is a covered person.

(b) Each of the following persons may also recover uninsured motorist benefits under any one other policy in which they are described as a “covered person” as defined in Subsection (1):

(i) a covered person injured as a pedestrian by an uninsured motor vehicle; and

(ii) except as provided in Subsection (7)(c), a covered person injured while occupying or using a motor vehicle that is not owned, leased, or furnished:

(A) to the covered person;

(B) to the covered person’s spouse; or

(C) to the covered person’s resident parent or resident sibling.

(c) (i) A covered person may recover benefits from no more than two additional policies, one additional policy from each parent’s household if the covered person is:

(A) a dependent minor of parents who reside in separate households; and

(B) injured while occupying or using a motor vehicle that is not owned, leased, or furnished:

(I) to the covered person;

(II) to the covered person’s resident parent; or

(III) to the covered person’s resident sibling.

(ii) Each parent’s policy under this Subsection (7)(c) is liable only for the percentage of the damages that the limit of liability of each parent’s policy of uninsured motorist coverage bears to the total of both parents’ uninsured coverage applicable to the accident.

(d) A covered person’s recovery under any available policies may not exceed the full amount of damages.

(e) A covered person in Subsection (7)(b) is not barred against making subsequent elections if recovery is unavailable under previous elections.

(f) (i) As used in this section, “interpolicy stacking” means recovering benefits for a single incident of loss under more than one insurance policy.

(ii) Except to the extent permitted by Subsection (6) and this Subsection (7), interpolicy stacking is prohibited for uninsured motorist coverage.

(8) (a) As used in this section, “underinsured motor vehicle” includes a motor vehicle, the operation, maintenance, or use of which is

covered under a liability policy at the time of an injury-causing occurrence, but which has insufficient liability coverage to compensate fully the injured party for all special and general damages.

(b) The term “underinsured motor vehicle” does not include:

(i) a motor vehicle that is covered under the liability coverage of the same policy that also contains the underinsured motorist coverage;

(ii) an uninsured motor vehicle as defined in Subsection (2); or

(iii) a motor vehicle owned or leased by:

(A) the named insured;

(B) the named insured’s spouse; or

(C) any dependent of the named insured.

(9) (a) (i) Underinsured motorist coverage under Subsection 31A–22–302(1)(c) provides coverage for covered persons who are legally entitled to recover damages from owners or operators of underinsured motor vehicles because of bodily injury, sickness, disease, or death.

(ii) A covered person occupying or using a motor vehicle owned, leased, or furnished to the covered person, the covered person’s spouse, or covered person’s resident relative may recover underinsured benefits only if the motor vehicle is:

(A) described in the policy under which a claim is made; or

(B) a newly acquired or replacement motor vehicle covered under the terms of the policy.

(b) For new policies written on or after January 1, 2001, the limits of underinsured motorist coverage shall be equal to the lesser of the limits of the insured’s motor vehicle liability coverage or the maximum underinsured motorist coverage limits available by the insurer under the insured’s motor vehicle policy, unless the insured purchases coverage in a lesser amount by signing an acknowledgment form provided by the insurer that:

(i) waives the higher coverage;

(ii) reasonably explains the purpose of underinsured motorist coverage; and

(iii) discloses the additional premiums required to purchase underinsured motorist coverage with limits equal to the lesser of the limits of the insured’s motor vehicle liability coverage or the maximum underinsured motorist coverage limits available by the insurer under the insured’s motor vehicle policy.

(c) A self-insured, including a governmental entity, may elect to provide underinsured motorist coverage in an amount that is less than

its maximum self-insured retention under Subsections (9)(b) and (9)(g) by issuing a declaratory memorandum or policy statement from the chief financial officer or chief risk officer that declares the:

- (i) self-insured entity's coverage level; and
- (ii) process for filing an underinsured motorist claim.

(d) Underinsured motorist coverage may not be sold with limits that are less than:

- (i) \$10,000 for one person in any one accident; and
- (ii) at least \$20,000 for two or more persons in any one accident.

(e) The acknowledgment under Subsection (9)(b) continues for that issuer of the underinsured motorist coverage until the insured, in writing, requests different underinsured motorist coverage from the insurer.

(f) (i) The named insured's underinsured motorist coverage, as described in Subsection (9)(a), is secondary to the liability coverage of an owner or operator of an underinsured motor vehicle, as described in Subsection (8).

(ii) Underinsured motorist coverage may not be set off against the liability coverage of the owner or operator of an underinsured motor vehicle, but shall be added to, combined with, or stacked upon the liability coverage of the owner or operator of the underinsured motor vehicle to determine the limit of coverage available to the injured person.

(g) (i) A named insured may reject underinsured motorist coverage by an express writing to the insurer that provides liability coverage under Subsection 31A-22-302(1)(a).

(ii) This written rejection shall be on a form provided by the insurer that includes a reasonable explanation of the purpose of underinsured motorist coverage and when it would be applicable.

(iii) This rejection continues for that issuer of the liability coverage until the insured in writing requests underinsured motorist coverage from that liability insurer.

(h) (i) In conjunction with the first two renewal notices sent after January 1, 2001, for policies existing on that date, the insurer shall disclose in the same medium as the premium renewal notice, an explanation of:

(A) the purpose of underinsured motorist coverage; and

(B) the costs associated with increasing the coverage in amounts up to and including the maximum amount available by the insurer under the insured's motor vehicle policy.

(ii) The disclosure required by this Subsection (9)(h) shall be

sent to all insureds that carry underinsured motorist coverage limits in an amount less than the insured's motor vehicle liability policy limits or the maximum underinsured motorist coverage limits available by the insurer under the insured's motor vehicle policy.

(10) (a) (i) Except as provided in this Subsection (10), a covered person injured in a motor vehicle described in a policy that includes underinsured motorist benefits may not elect to collect underinsured motorist coverage benefits from any other motor vehicle insurance policy.

(ii) The limit of liability for underinsured motorist coverage for two or more motor vehicles may not be added together, combined, or stacked to determine the limit of insurance coverage available to an injured person for any one accident.

(iii) Subsection (10)(a)(ii) applies to all persons except a covered person described under Subsections (10)(b)(i) and (ii).

(b) (i) Except as provided in Subsection (10)(b)(ii), a covered person injured while occupying, using, or maintaining a motor vehicle that is not owned, leased, or furnished to the covered person, the covered person's spouse, or the covered person's resident parent or resident sibling, may also recover benefits under any one other policy under which they are a covered person.

(ii) (A) A covered person may recover benefits from no more than two additional policies, one additional policy from each parent's household if the covered person is:

(I) a dependent minor of parents who reside in separate households; and

(II) injured while occupying or using a motor vehicle that is not owned, leased, or furnished to the covered person, the covered person's resident parent, or the covered person's resident sibling.

(B) Each parent's policy under this Subsection (10)(b)(ii) is liable only for the percentage of the damages that the limit of liability of each parent's policy of underinsured motorist coverage bears to the total of both parents' underinsured coverage applicable to the accident.

(iii) A covered person's recovery under any available policies may not exceed the full amount of damages.

(iv) Underinsured coverage on a motor vehicle occupied at the time of an accident shall be primary coverage, and the coverage elected by a person described under Subsections (1)(a) and (b) shall be secondary coverage.

(v) The primary and the secondary coverage may not be set off

against the other.

(vi) A covered person as described under Subsection (10)(b)(i) is entitled to the highest limits of underinsured motorist coverage under only one additional policy per household applicable to that covered person as a named insured, spouse, or relative.

(vii) A covered injured person is not barred against making subsequent elections if recovery is unavailable under previous elections.

(viii) (A) As used in this section, “interpolicy stacking” means recovering benefits for a single incident of loss under more than one insurance policy.

(B) Except to the extent permitted by this Subsection (10), interpolicy stacking is prohibited for underinsured motorist coverage.

(c) Underinsured motorist coverage:

(i) is secondary to the benefits provided by Title 34A, Chapter 2, Workers’ Compensation Act;

(ii) may not be subrogated by the workers’ compensation insurance carrier;

(iii) may not be reduced by any benefits provided by workers’ compensation insurance;

(iv) may be reduced by health insurance subrogation only after the covered person has been made whole;

(v) may not be collected for bodily injury or death sustained by a person:

(A) while committing a violation of Section 41–1a–1314;

(B) who, as a passenger in a vehicle, has knowledge that the vehicle is being operated in violation of Section 41–1a–1314; or

(C) while committing a felony; and

(vi) notwithstanding Subsection (10)(c)(v), may be recovered:

(A) for a person under 18 years of age who is injured within the scope of Subsection (10)(c)(v) but limited to medical and funeral expenses; or

(B) by a law enforcement officer as defined in Section 53–13–103, who is injured within the course and scope of the law enforcement officer’s duties.

(11) The inception of the loss under Subsection 31A–21–313(1) for underinsured motorist claims occurs upon the date of the last liability policy payment.

(12) (a) Within five business days after notification in a manner specified by the department that all liability insurers have tendered their liability policy limits, the underinsured carrier shall either:

(i) waive any subrogation claim the underinsured carrier may have against the person liable for the injuries caused in the accident; or

(ii) pay the insured an amount equal to the policy limits tendered by the liability carrier.

(b) If neither option is exercised under Subsection (12)(a), the subrogation claim is considered to be waived by the underinsured carrier.

(13) Except as otherwise provided in this section, a covered person may seek, subject to the terms and conditions of the policy, additional coverage under any policy:

(a) that provides coverage for damages resulting from motor vehicle accidents; and

(b) that is not required to conform to Section 31A-22-302; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 16, REPEAL OF VEHICLE EQUIPMENT SAFETY COMMISSION**, by Representative N. Hendrickson.

Sheldon L. Killpack, Chair

Mr. President:

January 26, 2005

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 92, UTAH ATTORNEY'S FEES RECOVERY ACT**, by Senator D. Thomas, be replaced and favorably recommends **1st Sub. S.B. 92, UTAH ATTORNEY'S FEES RECOVERY ACT**; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 110, MEDICAL DEVICE NOTIFICATION AND LIABILITY**, by Senator D. C. Buttars, be replaced and favorably recommends **2nd Sub. S.B. 110, MEDICAL DEVICE NOTIFICATION AND LIABILITY**; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 130, RETIREMENT FOR AIRPORT POLICE**, by Senator M. Dmitrich.

D. Chris Buttars, Chair

On motion of Senator Waddoups, the committee reports were adopted. **S.B. 46**, as amended, **S.B. 107, S.B. 129, S.B. 49**, as amended, **H.B. 16, 1st Sub. S.B. 92, 2nd Sub. S.B. 110**, and **S.B. 130** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

S.B. 56, Real Estate Listing Agreement Provisions (L. A. Mansell), read the first time by short title and referred to the Rules Committee.

S.B. 144, Motor Vehicle Stops At Port-of-entry (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.B. 145, Prohibition Against Certain Medical Noncompetition Agreements (A. Christensen), read the first time by short title and referred to the Rules Committee.

S.B. 146, Avoiding Apprehension Amendment (M. Waddoups), read the first time by short title and referred to the Rules Committee.

S.B. 147, Psychologist Licensing Act Amendments (E. Mayne), read the first time by short title and referred to the Rules Committee.

S.C.R. 5, Resolution Approving Settlement of Lawsuit (P. Knudson), read the first time by short title and referred to the Rules Committee.

S.J.R. 11, Resolution Limiting Number of Governor's Terms (C. Walker), read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Senator Killpack, the Senate voted to concur in the House amendments to **S.B. 5, TRAFFIC CODE RECODIFICATION AND REVISIONS**. The bill, as amended, passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Christensen	Davis	Eastman	Evans
Fife	Hale	Hatch	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Buttars	Dmitrich	Hellewell	Julander
Thomas			

S.B. 5 was returned to the House for the signature of the Speaker of the House.

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On motion of Senator Waddoups, the Senate voted to move **H.J.R. 8, H.J.R. 9, and H.J.R. 10** to the top of the Second Reading Calendar.

COMMITTEE OF THE WHOLE

On motion of Senator Killpack, The Honorable Yuzo Ota, Consul General of Japan spoke in Committee of the Whole. Representative Curtis Oda introduced Mr. Ota.

On motion of Senator Killpack, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

S.B. 30, AMENDMENTS TO SEARCH WARRANTS, was read the third time.

On motion of Senator Hatch, the bill was circled.

* * *

S.B. 91, INTERSTATE JUVENILE COMPACT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Killpack
Thomas			

S.B. 91 was transmitted to the House for consideration.

INTENT LANGUAGE FOR S.B. 91

“The Interstate Compact on Juveniles applies only to adjudicated youth or status offenders under the jurisdiction of a court in Utah or any other state. The

placement of youth not under the jurisdiction of a court in Utah or any other state is not intended to be governed by this compact.”

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S.B. 93, CHILDREN’S JUSTICE CENTER ADDITION, was read the third time and explained by Senator Hatch. Senators Buttars and Evans commented and the bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Killpack
Thomas			

S.B. 93 was transmitted to the House for consideration.

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S.B. 94, RESTITUTION AMENDMENTS, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Killpack
Thomas			

S.B. 94 was transmitted to the House for consideration.

* * *

S.J.R. 3, RESOLUTION ENCOURAGING MEDIATION, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Killpack
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S.J.R. 3 was transmitted to the House for consideration.

* * *

On motion of Senator Thomas, the circle was removed from **S.B. 30**, AMENDMENTS TO SEARCH WARRANTS, and it was before the Senate. Senator Thomas explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Killpack
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S.B. 30 was transmitted to the House for consideration.

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S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Walker	Valentine

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Killpack
Waddoups			

S.B. 86 was transmitted to the House for consideration.

* * *

S.B. 88, CREATION OF LOCAL DISTRICTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Walker
Valentine			

Absent or not voting were: Senators

Dmitrich	Hickman	Julander	Waddoups
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S.B. 88 was transmitted to the House for consideration.

* * *

S.B. 90, COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS , was read the third time, explained by Senator Thomas, and passed on the following roll call:

Yeas, 25; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Voting in the negative was: Senator

Jenkins

Absent or not voting were: Senators

Dmitrich	Hickman	Julander
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S.B. 90 was transmitted to the House for consideration.

* * *

S.B. 97, CONSOLIDATION OF CITY AND COUNTY LIBRARY, was read the third time, explained by Senator Bell, and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Dmitrich	Hickman	Julander
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S.B. 97 was transmitted to the House for consideration.

* * *

S.B. 40, REGULATION OF TITLE INSURANCE INDUSTRY, was read the third time and explained by Senator Hatch. Senator Hatch declared a conflict of interest. The bill passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Evans	Fife	Hale	Hatch
Hellewell	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Dmitrich	Hickman	Julander
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S.B. 40 was transmitted to the House for consideration.

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S.B. 87, RESIDENCE LIEN RESTRICTION AND LIEN RECOVERY FUND AMENDMENTS, was read the third time and explained by Senator Thomas. Senators Mansell and Valentine commented and the bill passed on the following roll call:

Yeas, 24; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Hale	Hatch	Hillyard
Jenkins	Killpack	Knudson	Madsen
Mansell	Mayne	Peterson	Stephenson
Thomas	Waddoups	Walker	Valentine

Voting in the negative were: Senators

Hellewell	Hickman
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Absent or not voting were: Senators

Bell	Dmitrich	Julander
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S.B. 87 was transmitted to the House for consideration.

SECOND READING CALENDAR

On motion of Senator Waddoups, under suspension of the rules, **H.J.R. 8, JOINT RULES RESOLUTION – USE OF LEGISLATIVE SEALS**, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bramble	Christensen
Davis	Eastman	Evans	Fife
Hale	Hatch	Hellewell	Hickman
Hillyard	Jenkins	Killpack	Knudson
Madsen	Mansell	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Buttars	Dmitrich	Julander
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H.J.R. 8 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Waddoups, under suspension of the rules, **H.J.R. 9**, RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST, was considered read the second and third times and passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	Peterson
Stephenson	Thomas	Waddoups	Walker
Valentine			

Absent or not voting were: Senators

Bell	Dmitrich	Julander	Mansell
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H.J.R. 9 was signed by the President of the Senate in open session and returned to the House.

* * *

On motion of Senator Waddoups, under suspension of the rules, **H.J.R. 10**, JOINT RULES RESOLUTION – AMENDMENTS IN CONTEXT, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mansell	Mayne
Peterson	Stephenson	Thomas	Waddoups
Walker	Valentine		

Absent or not voting were: Senators

Bell	Dmitrich	Julander
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H.J.R. 10 was signed by the President of the Senate in open session and returned to the House.

* * *

S.B. 115, PERMANENT TOTAL DISABILITY AMENDMENTS, was read the second time. Senator Mayne explained the bill. The bill passed second reading on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Allen	Arent	Bramble	Buttars
Christensen	Davis	Eastman	Evans
Fife	Hale	Hellewell	Hillyard
Jenkins	Knudson	Madsen	Mansell
Mayne	Peterson	Stephenson	Thomas
Waddoups	Walker	Valentine	

Absent or not voting were: Senators

Bell	Dmitrich	Hatch	Hickman
Julander	Killpack		

* * *

S.B. 77, AMENDMENTS TO INDOOR CLEAN AIR ACT, was read the second time. Senator Waddoups explained the bill. Senators Hickman, Arent, Davis, Hillyard, Christensen, Mayne, and Bell commented.

Senator Davis proposed the following amendment:

1. Page 2, Line 33:
After “offices,” insert “and in private clubs” and delete “except under Subsection (2).”
2. Page 2, Lines 34–53:
Delete Lines 34–53.

Senator Davis’ motion to amend failed on a voice vote. The bill passed second reading on the following roll call:

Yeas, 16; Nays, 10; Absent, 3.

Voting in the affirmative were: Senators

Allen	Arent	Bramble	Buttars
Christensen	Davis	Eastman	Fife
Hale	Hellewell	Hillyard	Knudson
Mayne	Thomas	Waddoups	Valentine

Voting in the negative were: Senators

Bell	Evans	Hatch	Hickman
Jenkins	Killpack	Madsen	Peterson
Stephenson	Walker		

Absent or not voting were: Senators

Dmitrich	Julander	Mansell
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On motion of Senator Bell, the Senate voted to move **H.J.R. 6** to the top of the Second Reading Calendar.

On motion of Senator Bell, under suspension of the rules, **H.J.R. 6, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES**, was considered read the second and third times and passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Christensen	Davis	Eastman
Fife	Hale	Hatch	Hellewell
Hickman	Hillyard	Jenkins	Killpack
Knudson	Madsen	Mayne	Peterson
Stephenson	Waddoups	Walker	Valentine

Absent or not voting were: Senators

Dmitrich

Evans

Julander

Mansell

Thomas

H.J.R. 6 was signed by the President of the Senate in open session and returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President:

January 27, 2005

The House passed, **S.B. 20**, OFFICE OF LEGISLATIVE AUDITOR – ACCESS TO INFORMATION, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 4**, JOINT RULES RESOLUTION – INTERIM RULES RECODIFICATION, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. 20 and **S.J.R. 4** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

* * *

Mr. President:

January 27, 2005

The House passed **H.B. 173**, STATE EMPLOYEE AMENDMENTS, by Representative A. Hardy, and it is transmitted for consideration; and

The House passed **H.B. 180**, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 173** and **H.B. 180** were read the first time and referred to the Rules Committee.

INTRODUCTION OF BILLS

S.B. 148, Conservation Easement Endowment Restricted Account (B. Evans), read the first time by short title and referred to the Rules Committee.

* * *

On motion of Senator Knudson and at 12:05 p.m., the Senate adjourned until 10:00 a.m., Friday, January 28, 2005.

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Read the third time	147
Circled	147
S.B. 25 — TRANSPORTATION AMENDMENTS AND HIGHWAY JURISDICTIONAL TRANSFER	
TASK FORCE (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	28
S.B. 26 — PUBLIC UTILITIES AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	28
Substituted	122
1st Sub. S.B. 26 — PUBLIC UTILITIES AMENDMENTS (<i>G. Bell</i>)	
Amendments	122
Committee report adopted and placed on calendar	124
S.B. 27 — SUNSET REAUTHORIZATIONS (<i>L. A. Mansell</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Placed on calendar	29
Read the second time	51
Circled	51
Uncircled	126
Read the third time	147
Circled	147
Uncircled	148
Transmitted to the House	148
S.B. 28 — REAUTHORIZATION OF ENERGY POLICY TASK FORCE (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Placed on calendar	29
Read the second time	51
Returned to the Rules Committee	51
S.B. 29 — LICENSING OF CRANE OPERATORS (<i>G. Davis</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	26
S.B. 30 — AMENDMENTS TO SEARCH WARRANTS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	27
Placed on calendar	80
Read the second time	173
Read the third time	206
Circled	206
Uncircled	208
Transmitted to the House	208
S.B. 31 — LOCAL GOVERNMENT AMENDMENTS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	26
S.B. 32 — LIMITATION OF LANDOWNER LIABILITY FOR PUBLIC RECREATION (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	26
Placed on calendar	79
Read the second time	125
Amendments	125
Read the third time	146
Transmitted to the House	147
S.B. 33 — EXEMPTIONS TO RESIDENTIAL PROPERTY TAX (<i>E. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	14
Assigned to standing committee	28
S.B. 34 — PATIENT ACCESS REFORM (<i>P. Hellewell</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	60
S.B. 35 — VENTURE CAPITAL FUNDING AMENDMENTS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	28
Committee report adopted and placed on calendar	63

Read the second time	87
Circled	87
Uncircled	148
Substituted	148
1st Sub. S.B. 35 — RELATIONSHIPS WITH VENTURE CAPITAL ENTITIES (<i>D. Thomas</i>)	
Read the third time	170
Amendments	170
Transmitted to the House	170
S.B. 36 — SALES AND USE TAXATION OF PAWN TRANSACTIONS (<i>R. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	28
Amendments	61
Committee report adopted and placed on calendar	63
Read the second time	86
Read the third time	101
Transmitted to the House	101
S.B. 37 — MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	28
Placed on calendar	80
Amendments	76
Read the second time	149
Read the third time	171
Transmitted to the House	171
S.B. 38 — GARNISHMENT BY DEFERRED DEPOSIT LENDERS (<i>R. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	26
S.B. 39 — CONSUMER CREDIT PROTECTION (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	26
S.B. 40 — REGULATION OF TITLE INSURANCE INDUSTRY (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	60
Committee report adopted and placed on calendar	124
Read the second time	178
Amendments	178
Read the third time	210
Transmitted to the House	211
S.B. 41 — SCHOOL AND INSTITUTIONAL TRUST LANDS MANAGEMENT ACT REVISIONS (<i>M. Dmitrich</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	60
S.B. 42 — ALCOHOL RESTRICTED DRIVERS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	15, 45
Assigned to standing committee	60
Amendments	166
Committee report adopted and placed on calendar	169
S.B. 43 — PENALTY FOR PROVIDING FALSE INFORMATION TO STATE AGENCY (<i>P. Hellewell</i>)	
Read the first time by short title and referred to the Rules Committee.	15, 45
Assigned to standing committee	60
Committee report adopted and placed on calendar	124
Read the second time	174
Substituted	174
2nd Sub. S.B. 43 — PENALTY FOR PROVIDING FALSE INFORMATION TO STATE AGENCY (<i>P. Hellewell</i>)	
Circled	174
S.B. 44 — GOVERNMENT RECORDS AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	60
Substituted	144
1st Sub. S.B. 44 — GOVERNMENT RECORDS AMENDMENTS (<i>C. Walker</i>)	
Committee report adopted and placed on calendar	146
S.B. 45 — CHARITABLE PURPOSE DETERMINATION (<i>P. Hellewell</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	74
S.B. 46 — PRESCRIPTIVE PRACTICE OF LEGEND DRUGS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	74
Amendments	193
Committee report adopted and placed on calendar	204
S.B. 47 — WRONGFUL LIEN OFFENSES (<i>B. Evans</i>)	
Read the first time by short title and referred to the Rules Committee.	98

Assigned to standing committee	120
Committee report adopted and placed on calendar	169
S.B. 48 — INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS (<i>P. Arent</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
S.B. 49 — MOTOR VEHICLE LIABILITY COVERAGE AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
Amendments	194
Committee report adopted and placed on calendar	204
S.B. 50 — CONTROLLED SUBSTANCE AMENDMENTS (<i>P. Julander</i>)	
Read the first time by short title and referred to the Rules Committee.	124
Assigned to standing committee	144
S.B. 51 — NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	124
Assigned to standing committee	144
S.B. 52 — PRICE CONTROLS DURING EMERGENCIES ACT (<i>P. Arent</i>)	
Read the first time by short title and referred to the Rules Committee.	146
Assigned to standing committee	164
S.B. 53 — LAND VALUE PROPERTY TAX STUDY (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	193
S.B. 54 — PROPERTY TAX CONFIDENTIALITY AMENDMENTS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	193
S.B. 55 — ACCESS TO PATIENT MEDICAL RECORDS (<i>P. Arent</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.B. 56 — REAL ESTATE LISTING AGREEMENT PROVISIONS (<i>L. A. Mansell</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.B. 72 — CHILD WELFARE AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.B. 73 — TAMPERING WITH EVIDENCE (<i>D. C. Butters</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
Committee report adopted and placed on calendar	169
S.B. 74 — MEDICAL RESERVE CORPS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
S.B. 75 — PUBLIC SAFETY DATABASE AMENDMENTS (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
S.B. 76 — AMENDMENTS TO NAVAJO TRUST FUND (<i>B. Evans</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	26
Committee report adopted and placed on calendar	63
Read the second time	85
Read the third time	100
Transmitted to the House	100
S.B. 77 — AMENDMENTS TO INDOOR CLEAN AIR ACT (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	27
Amendments	121
Committee report adopted and placed on calendar	124
Read the second time	213
Amendments	213
S.B. 78 — OPTIONAL FORMS OF COUNTY GOVERNMENT AMENDMENT (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	26
Committee report adopted and placed on calendar	63
Read the second time	85
Read the third time	100
Transmitted to the House	101
S.B. 79 — EXTENSION OF SUNSET DATE ON RESOURCE DEVELOPMENT COORDINATING COMMITTEE (<i>B. Evans</i>)	
Read the first time by short title and referred to the Rules Committee.	15
Assigned to standing committee	27

Placed on calendar	79
Amendments	75
Read the second time	131
Circled	131
Uncircled	149
Read the third time	170
Transmitted to the House	171
S.B. 80 — SPECIAL SERVICE DISTRICTS – SERVICE EXPANSION (<i>M. Dmitrich</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
S.B. 81 — LOCAL GOVERNMENT APPROVAL FOR SOLID NONHAZARDOUS AND HAZARDOUS WASTE DISPOSAL (<i>B. Evans</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Placed on calendar	79
Read the second time	131
Circled	131
Uncircled	150
Read the third time	171
Transmitted to the House	172
S.B. 82 — INDIVIDUAL INCOME TAX – EARNED INCOME TAX CREDIT (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	28
S.B. 83 — MEDICAL DECISIONS OF A PARENT OR GUARDIAN (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Placed on calendar	79
Read the second time	128
Amendments	128
Read the third time	147
Transmitted to the House	148
S.B. 84 — DO NOT CALL REGISTRY AMENDMENTS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	28
S.B. 85 — FEDERAL RESEARCH COMMITTEE (<i>G. Davis</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
S.B. 86 — 2004 GENERAL OBLIGATION BOND AMENDMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Amendments	97
Committee report adopted and placed on calendar	98
Read the second time	176
Amendments	176
Read the third time	209
Transmitted to the House	209
S.B. 87 — RESIDENCE LIEN RESTRICTION AND LIEN RECOVERY FUND AMENDMENTS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	26
Committee report adopted and placed on calendar	124
Read the second time	179
Read the third time	211
Transmitted to the House	211
S.B. 88 — CREATION OF LOCAL DISTRICTS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Committee report adopted and placed on calendar	98
Read the second time	176
Read the third time	209
Transmitted to the House	209
S.B. 89 — MUTUAL DEPENDENCE BENEFITS CONTRACT (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Committee report adopted and placed on calendar	124
S.B. 90 — COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Committee report adopted and placed on calendar	98
Read the second time	177
Read the third time	209
Transmitted to the House	210

S.B. 91 — INTERSTATE JUVENILE COMPACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Placed on calendar	80
Read the second time	174
Read the third time	206
Transmitted to the House	206
S.B. 92 — UTAH ATTORNEY'S FEES RECOVERY ACT (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Substituted	204
1st Sub. S.B. 92 — UTAH ATTORNEY'S FEES RECOVERY ACT (<i>D. Thomas</i>)	
Committee report adopted and placed on calendar	204
S.B. 93 — CHILDREN'S JUSTICE CENTER ADDITION (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	16
Assigned to standing committee	27
Placed on calendar	80
Read the second time	174
Read the third time	207
Transmitted to the House	207
S.B. 94 — RESTITUTION AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Placed on calendar	80
Read the second time	175
Read the third time	207
Transmitted to the House	208
S.B. 95 — OFFICE OF MUSEUM SERVICES AMENDMENTS (<i>R. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	28
Committee report adopted and placed on calendar	63
Read the second time	87
Read the third time	103
Transmitted to the House	103
S.B. 96 — COMMERCE SERVICE FUND AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
S.B. 97 — CONSOLIDATION OF CITY AND COUNTY LIBRARY (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Amendments	97
Committee report adopted and placed on calendar	98
Read the second time	177
Read the third time	210
Transmitted to the House	210
S.B. 98 — MOTOR VEHICLE REGISTRATION AND TITLE AMENDMENTS (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	28
Committee report adopted and placed on calendar	124
S.B. 99 — DAMAGES FOR TRESPASS IN STATE PARKS (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	28
S.B. 100 — ACCESS TO HIGH SPEED INTERNET AT STATE CAPITOL COMPLEX (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Placed on calendar	29
Read the second time	31
Circled	31
Uncircled	31
Amendments	31
Read the second and third time	32
Transmitted to the House	32
Signed by the President and transmitted to the Governor	59
S.B. 101 — UTAH ADMINISTRATIVE RULEMAKING ACT REVISION (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Placed on calendar	29
Read the second time	52
Read the third time	65
Transmitted to the House	65
S.B. 102 — LOBBYIST REPORTING AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27

S.B. 103 — LIENS ON AIRCRAFT (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	26
Placed on calendar	79
Read the second time	127
Amendments	127
Read the third time	147
Transmitted to the House	147
S.B. 104 — JUDICIARY AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Substituted	123
1st Sub. S.B. 104 — JUDICIARY AMENDMENTS (<i>L. Hillyard</i>)	
Committee report adopted and placed on calendar	124
S.B. 105 — JUDGMENT INTEREST RATE (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
S.B. 106 — UTAH RELIGIOUS LAND USE ACT (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Substituted	145
1st Sub. S.B. 106 — UTAH RELIGIOUS LAND USE ACT (<i>D. Thomas</i>)	
Committee report adopted and placed on calendar	146
S.B. 107 — LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	27
Committee report adopted and placed on calendar	204
S.B. 108 — TELECOMMUNICATIONS REVISIONS (<i>C. Bramble</i>)	
Read the first time by short title and referred to the Rules Committee.	17
Assigned to standing committee	28
Substituted	123
1st Sub. S.B. 108 — TELECOMMUNICATIONS REVISIONS (<i>C. Bramble</i>)	
Amendments	123
Committee report adopted and placed on calendar	124
S.B. 109 — SAFETY BELT ENFORCEMENT (<i>K. Hale</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	61
Committee report adopted and placed on calendar	169
S.B. 110 — MEDICAL DEVICE NOTIFICATION AND LIABILITY (<i>D. C. Butters</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	60
Substituted	204
2nd Sub. S.B. 110 — MEDICAL DEVICE NOTIFICATION AND LIABILITY (<i>D. C. Butters</i>)	
Committee report adopted and placed on calendar	204
S.B. 111 — AMENDMENTS PROHIBITING HEALTH INSURANCE DISCRIMINATION (<i>P. Julander</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	74
S.B. 112 — CHILD PROTECTION AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	60
Committee report adopted and placed on calendar	124
S.B. 113 — EMPLOYEE NONCOMPETITION CONTRACTS (<i>E. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	60
S.B. 114 — COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	60
Committee report adopted and placed on calendar	146
S.B. 115 — PERMANENT TOTAL DISABILITY AMENDMENTS (<i>E. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	46
Assigned to standing committee	60
Committee report adopted and placed on calendar	124
Read the second time	213
S.B. 116 — ARBITRATION – USE OF SUBPOENA AUTHORIZED (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	74
Committee report adopted and placed on calendar	124
S.B. 117 — REPEAL OF UTAH TOMORROW STRATEGIC PLANNING COMMITTEE (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	63

Assigned to standing committee	74
Committee report adopted and placed on calendar	146
S.B. 118 — IDENTITY FRAUD AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	74
Committee report adopted and placed on calendar	124
S.B. 119 — RURAL MEDICAL RESIDENCY TRAINING PROGRAMS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	74
S.B. 120 — ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
Amendments	121
Committee report adopted and placed on calendar	124
S.B. 121 — PROPERTY TAX EXEMPTION AMENDMENTS (<i>C. Bramble</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
S.B. 122 — NONRESIDENT TUITION WAIVER FOR JOB CORPS STUDENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
Substituted	122
1st Sub. S.B. 122 — RESIDENT TUITION STATUS FOR JOB CORPS STUDENTS (<i>G. Bell</i>)	
Committee report adopted and placed on calendar	124
S.B. 123 — GOVERNMENTAL IMMUNITY ACT – TECHNICAL AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
Committee report adopted and placed on calendar	146
S.B. 124 — MOTOR VEHICLE INSURANCE – PROPERTY DAMAGE LIMIT (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	97
Committee report adopted and placed on calendar	169
S.B. 125 — AMENDMENTS TO INDIVIDUAL INCOME TAX CREDIT FOR SPECIAL NEEDS ADOPTIONS (<i>P. Hellewell</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	97
Amendments	165
Committee report adopted and placed on calendar	169
S.B. 126 — MEDICAL BENEFITS RECOVERY ACT AMENDMENTS (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
S.B. 127 — TAX, FEE, OR CHARGE AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
S.B. 128 — CALCULATION OF INTEREST ON TAX OVERPAYMENTS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
Committee report adopted and placed on calendar	169
S.B. 129 — BRINE SHRIMP ROYALTY ACT AMENDMENTS (<i>T. Hatch</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
Committee report adopted and placed on calendar	204
S.B. 130 — RETIREMENT FOR AIRPORT POLICE (<i>M. Dmitrich</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
Committee report adopted and placed on calendar	204
S.B. 131 — AUTHORIZATION FOR ADDITIONAL JUDICIAL POSITION (<i>M. Madsen</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
Committee report adopted and placed on calendar	169
S.B. 132 — HEALTH CARE CONSUMER'S REPORT (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	98
Assigned to standing committee	120
S.B. 133 — INDIVIDUAL INCOME TAX – RETURN FILING REQUIREMENTS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	99
Assigned to standing committee	120
Committee report adopted and placed on calendar	169
S.B. 134 — POWERSPORT VEHICLE FRANCHISE ACT (<i>D. Eastman</i>)	
Read the first time by short title and referred to the Rules Committee.	124
Assigned to standing committee	144

S.B. 135 — DRUG COURTS PILOT PROJECT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	146
Assigned to standing committee	164
S.B. 136 — JUSTICE COURT OPERATIONS AMENDMENTS (<i>E. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.B. 137 — TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES	
TAX AMENDMENTS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	146
Assigned to standing committee	193
S.B. 138 — JUDGMENT INTEREST AMENDMENTS (<i>E. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	146
Assigned to standing committee	164
S.B. 139 — MINIMUM WAGE PROVISIONS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	146
Assigned to standing committee	164
S.B. 140 — PERSONAL USE OF CAMPAIGN FUNDS (<i>K. Hale</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.B. 141 — MILITARY INSTALLATION PARTNERSHIPS (<i>S. Killpack</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	193
S.B. 142 — PHARMACY PRACTICE ACT AMENDMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.B. 143 — OPEN AND PUBLIC MEETINGS – RECORDING REQUIREMENT (<i>S. Jenkins</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.B. 144 — MOTOR VEHICLE STOPS AT PORT-OF-ENTRY (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.B. 145 — PROHIBITION AGAINST CERTAIN MEDICAL NONCOMPETITION AGREEMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.B. 146 — AVOIDING APPREHENSION AMENDMENT (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.B. 147 — PSYCHOLOGIST LICENSING ACT AMENDMENTS (<i>E. Mayne</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.B. 148 — CONSERVATION EASEMENT ENDOWMENT RESTRICTED ACCOUNT (<i>B. Evans</i>)	
Read the first time by short title and referred to the Rules Committee.	215
S.C.R. 1 — RESOLUTION ENCOURAGING MANAGED LANES STUDY (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Placed on calendar	29
Read the second and third time	32
Transmitted to the House	33
S.C.R. 3 — RESOLUTION HONORING SEARCHERS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Placed on calendar	29
Read the second and third time	30
Transmitted to the House	30
Signed by the President and transmitted to the Governor	45
S.C.R. 4 — RESOLUTION APPROVING UTAH RECREATIONAL LAND EXCHANGE (<i>B. Evans</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	60
Committee report adopted and placed on calendar	124
S.C.R. 5 — RESOLUTION APPROVING SETTLEMENT OF LAWSUIT (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.J.R. 1 — JOINT RESOLUTION APPROVING APPOINTMENT OF LEGISLATIVE AUDITOR GENERAL (<i>J. Valentine</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Placed on calendar	29
Read the second and third time	33
Transmitted to the House	33
Signed by the President and transmitted to the Governor	59
S.J.R. 2 — RESOLUTION ON PROPERTY TAX FOR CERTAIN PERSONAL PROPERTY (<i>J. Hickman</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Assigned to standing committee	28
S.J.R. 3 — RESOLUTION ENCOURAGING MEDIATION (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	18

Assigned to standing committee	27
Placed on calendar	80
Read the second time	175
Read the third time	208
Transmitted to the House	208
S.J.R. 4 — JOINT RULES RESOLUTION – INTERIM RULES RECODIFICATION (<i>M. Waddoups</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Placed on calendar	61
Read the second time	84
Read the third time	99
Transmitted to the House	99
Signed by the President and transmitted to the Governor	215
S.J.R. 5 — RESOLUTION APPROVING CONTRACT FOR STATE CAPITOL RENOVATION (<i>L. A. Mansell</i>)	
Read the first time by short title and referred to the Rules Committee.	18
Placed on calendar	29
Read the second and third time	31
Transmitted to the House	31
Signed by the President and transmitted to the Governor	73
S.J.R. 6 — SPACE EXPLORATION RESOLUTION (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	97
Committee report adopted and placed on calendar	146
S.J.R. 7 — RESOLUTION RECOGNIZING RONALD REAGAN DAY (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
Committee report adopted and placed on calendar	146
S.J.R. 8 — JOINT RULES RESOLUTION – APPEARANCE OF ENROLLED BILLS (<i>C. Bramble</i>)	
Read the first time by short title and referred to the Rules Committee.	146
S.J.R. 9 — RESOLUTION RECOGNIZING 100 YEARS OF ROTARY INTERNATIONAL (<i>P. Knudson</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	192
S.J.R. 10 — RESOLUTION TO CONGRESS REGARDING OIL AND GAS DRILLING AND EXPLORATION (<i>H. Stephenson</i>)	
Read the first time by short title and referred to the Rules Committee.	169
Assigned to standing committee	193
S.J.R. 11 — RESOLUTION LIMITING NUMBER OF GOVERNOR'S TERMS (<i>C. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	205
S.R. 1 — SENATE RESOLUTION DISCOURAGING PARTICIPATION IN FREE TRADE AREA OF THE AMERICAS (<i>D. Thomas</i>)	
Read the first time by short title and referred to the Rules Committee.	80
Assigned to standing committee	96
Committee report adopted and placed on calendar	169